



Montgomery County Department of Permitting Services
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<http://permittingervices.montgomerycountymd.gov>



FENCE SUBMITTAL GUIDELINES

A building permit is required to install any type of fence in Montgomery County. The application packet must include two (2) copies of a site plan showing where the fence will be located on the property. For information on fences, call zoning information at 240-777-6240.

There are no restrictions about the type of fence that can be installed or which side faces either property. There are restrictions, however, for swimming pool enclosures, with very specific requirements that can be found in Chapter 51 of the Montgomery County Code.

If the height of the fence is not over six and one-half feet (6'-6") high, measured from the lowest level of the ground immediately under the fence, it can be located anywhere on the property. However, on a corner lot, a linear distance of fifteen feet (15') from the intersection of the front and side street right-of-way lines, the fence height cannot exceed three feet (3') above curb level.

Replacement of an existing fence **INSTALLED WITH A BUILDING PERMIT** with the same kind of fence in the same location at the same height does not require a building permit. If an existing fence was not installed with a building permit, the replacement fence must have a building permit.

The Department often receives complaints concerning the placement of a fence on a neighbor's property. The fence permit is limited to the applicant's property as indicated on the approved site plan submitted with a building permit application. Any dispute as to whether a fence has extended into a neighbor's property or questions about the location of property lines is a legal matter to be resolved by the property owners.